IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.69657-M of 2006
Date of Decision:- 13.8.2007

Hardev Singh ....Petitioner(s)

through
Mr.S.S.Majithia, Advocate

vs.

State of Punjab & ors. ....Respondent(s)

through
Mr.Sandeep Moudgil, DAG, Punjab.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The prayer in this petition is for quashing of F.I.R.No.134 dated 17.10.2006 (Annexure P-3) under Section 13 A(1) of the Punjab Village Common Lands (Regulation) Act, 1961, registered at Police Station Bias, Police District Majitha, District Amritsar.

The above-stated F.I.R. has been got registered against the petitioner with the allegation that he has encroached upon the Panchayat land.

Learned counsel for the petitioner states that the platform which was raised over the subject land has since been removed and the petitioner further undertakes that no encroachment shall be made by him over the subject land in future.

In view of the above-stated stand taken by the petitioner, this petition is disposed of with a direction that in case the petitioner gives an

undertaking to the Gram Panchayat in writing within two weeks from today to the effect that he will not encroach upon the subject land and the same shall continue to remain in possession of the Gram Panchayat only, the Investigating Agency shall take into consideration the above-stated stand of the petitioner and consider the desirability of submitting a cancellation report. However, in the event of any reluctance shown by the petitioner and/or conditional stand in relation thereto, the investigating agency shall proceed against the petitioner in accordance with law.

With these directions, this petition is disposed of.

August 13, 2007 **(SURYA KANT)**
poonam **JUDGE**